

Serial No. 09/941,474
Response to Final Office Action

REMARKS/ARGUMENTS

Introduction

The present Amendment is in response to the Office Action mailed December 5, 2003. The Office Action allowed claims 1-6, 8-16, and claims 21-23. The Office Action rejected claims 18-20 and 24. The Office Action objected to claim 25 and 26. By this paper, the rejected claims 18-20 are cancelled. Claim 26 is also cancelled and claim 24 has been amended to include the limitations of claim 26 and any intervening claims. Thus, claims 7, 17-20, and 26 are canceled. Claims 1-6, 8-16, and 21-23 have been allowed. Claim 24 has been amended to incorporate the limitations of claim 26 is believed to be in condition for allowance. Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks.

Rejections Under 35 U.S.C. § 102

Claims 18-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,343, 166 to Hellman. Claims 18-20 have been cancelled by this amendment and the rejection of claims 18-20 is moot. However, the cancellation of the claims 18-20 should not be construed as an acquiescence, on the part of the Applicant, that the claims contain subject matter that is anticipated or taught by the art of record. Accordingly, Applicant reserves the right to challenge the rejections of the Examiner under 35 U.S.C. § 102 as well as the purported teaching and prior art status of any and all of the cited references at any appropriate time. Applicants further reserve the right to pursue the subject matter of the cancelled claims in a separate application.

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Allowable Subject Matter

As indicated in the Office Action, claims 1-6, 8-16, and 21-23 are allowed.

In paragraph 7, the Office Action objected to claims 25 and 26 as being dependent upon a rejected base claim, but would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims. After reviewing the Office Action, it appears that claim 24 was rejected under 35 U.S.C. § 102 (see ¶ 5 of the Office Action) as no reference to 35 U.S.C. § 112, second paragraph, is noted in the Office Action.

In either case, claim 24 has been amended to incorporate the limitations of claim 26 and any intervening claims. As a result, claim 24 is believed to be in condition for allowance. Claim 25, which now depends from an allowable claim 24, is also believed to be in condition for allowance.

As only allowable claims 1-6, 8-16, and 21-25 are currently pending, reconsideration and allowance for the above-identified application are now respectfully requested. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

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Dated this 5th day of April 2004.

Respectfully submitted,



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